

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Advanced Television Systems )  
and Their Impact Upon the ) MM Docket No. 87-268  
Existing Television Broadcast )  
Service )  
  
To: The Commission

**OPPOSITION OF JEFFERSON-PILOT COMMUNICATIONS COMPANY  
TO SUPPLEMENTAL ENGINEERING INFORMATION  
IN SUPPORT OF PETITION FOR PARTIAL RECONSIDERATION  
OF SHENANDOAH VALLEY EDUCATIONAL TELEVISION CORPORATION**

By its attorneys and pursuant to the Commission's September 2, 1997 Order in the above-captioned proceeding, Jefferson-Pilot Communications Company ("Jefferson-Pilot"), licensee of WWBT(TV), NTSC Channel 12, Richmond, Virginia, hereby submits its comments in opposition to the supplemental engineering information filed on August 22, 1997 by Shenandoah Valley Educational Television Corporation ("Shenandoah Valley"), licensee of WVPT(TV), NTSC Channel 51, Staunton, Virginia, in support of its Petition for Partial Reconsideration of the Commission's Sixth Report and Order ("Sixth R&O") in this docket.<sup>1</sup>

<sup>1</sup> See 62 Fed. Reg. 47207 (Sept. 8, 1997); Sixth R&O, FCC 97-115, released April 21, 1997, 62 Fed. Reg. 26684 (May 14, 1997).

Shenandoah Valley has been assigned Channel 19 for WVPT's digital operations, but the station seeks authority to use DTV Channel 11 instead.<sup>2</sup> Jefferson-Pilot also seeks that channel, in lieu of Channel 54, for use by WWBT to provide digital transmissions to the Richmond area during the transition period.<sup>3</sup>

Shenandoah Valley has repeatedly stressed its interest in avoiding use of Channel 19 for its digital operations because the WVPT currently uses that channel for a TV translator station.<sup>4</sup> This basis for Shenandoah Valley's request is contrary to the Commission's long-standing policy determination that secondary stations not be accorded the same status or level of interference protection given to full-power stations during the DTV transition. Now, in its latest submission, Shenandoah Valley argues that its proximity to the National Radio Quiet Zone (the "Quiet Zone")—and specifically its obligation to protect the National Radio Astronomy Observatory ("NRAO")—justifies its request to use DTV Channel 11 in lieu of DTV Channel 19.

Jefferson-Pilot submits that the proximity of WVPT to the Quiet Zone is not a sufficient basis for changing its DTV assignment. Problems posed by operating any broadcast station in the Staunton area obviously predate the era of digital television; Shenandoah Valley acknowledges that it must protect the Quiet Zone now when operating NTSC Channel 51.<sup>5</sup> The

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<sup>2</sup> See, e.g., Petition of Shenandoah Valley Educational Television Corporation for Partial Reconsideration, MM Docket No. 87-268 (filed June 13, 1997) ("Shenandoah Petition").

<sup>3</sup> See, e.g., Petition for Reconsideration of Jefferson-Pilot Communications Company, MM Docket No. 87-268 (filed June 13, 1997) ("Petition").

<sup>4</sup> See generally Shenandoah Petition; Reply of Shenandoah Valley Educational Television Corporation to Opposition of Jefferson-Pilot Communications Company, MM Docket No. 87-268 (filed July 31, 1997). See, e.g., Sixth R&O at ¶¶ 141-143.

<sup>5</sup> Supplemental Information in Support of the Petition for Partial Reconsideration of  
(Continued...)

Commission took this requirement into account when assigning Shenandoah Valley a DTV channel that would replicate its current NTSC signal. Shenandoah Valley has not shown that Channel 19 is not sufficient for that purpose. Indeed, Shenandoah Valley acknowledges that its request for DTV Channel 11 is motivated by “the opportunity to improve WVPT service.”<sup>6</sup> Such “improvements,” however, are not the goal of the DTV proceeding. To the contrary, the Commission made a specific decision in this proceeding that DTV assignments would be made in a manner that would replicate the service areas of existing stations.

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(...Continued)

Shenandoah Valley Educational Television Corporation, MM Docket No. 87-268, at 2 (filed Aug. 22, 1997) (“Shenandoah Engineering Supplement”)

<sup>6</sup> Engineering Statement of Moffet, Larson & Johnson, Inc., at 2 (appended to Shenandoah Engineering Supplement).

Thus, Shenandoah Valley is not entitled to use the DTV proceeding to extend WVPT's coverage. Similarly, its desire to operate with higher power or avoid the need to protect the NRAO by directionalizing its signal—or to protect its translator operations on Channel 19—are not sufficient to justify a change in the DTV allotments. Accordingly, the Commission should deny Shenandoah Valley's request and instead grant Jefferson-Pilot's Petition to use Channel 11 for DTV operations during the transition period.<sup>7</sup>

Respectfully submitted,

JEFFERSON-PILOT COMMUNICATIONS  
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September 23, 1997

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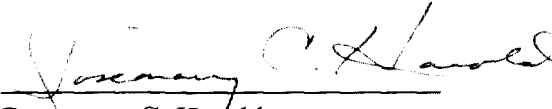
<sup>7</sup> Jefferson-Pilot has stated its belief that WWBT would be able to bring digital service to Richmond more expeditiously on Channel 11. Similarly, Jefferson-Pilot has demonstrated its commitment to the quickest possible roll-out of digital television by filing on September 19, 1997, its application for a permit to construct the digital transmission facilities for its Charlotte, North Carolina, station, WBTV(TV).

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Supplemental Engineering Information to Support the Petition for Reconsideration of Jefferson-Pilot Communications Company was served via First Class mail this 23rd day of September, 1997, to the following:

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